

32 KAR 2:100. Postelection and supplemental reports.

RELATES TO: KRS 121.180(3), (4), (7)

STATUTORY AUTHORITY: KRS 121.120(1)(g)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 121.180(3)(b) requires candidates, campaign committees, political issues committees, and registered fundraisers to file a report on the 32nd day preceding an election. KRS 121.180(4) and (7) require that candidates, campaign committees, political issues committees, and registered fundraisers shall file postelection reports within thirty (30) days after the election, and supplemental reports until any balance of funds remaining or debts owed show no unexpended balance or unpaid deficit. It is necessary to promulgate this administrative regulation to clarify the manner in which these reports are to be compiled as the transition is made between reporting periods for the primary and regular elections.

Section 1. Definitions. (1) "Thirty (30) day postelection report" means the postelection report required by KRS 121.180(4).

(2) "Supplemental report" means the report required by KRS 121.180(7).

(3) "Thirty-two (32) day preelection report" means the report required by KRS 121.180(3)(b).

Section 2. Postelection Reports. (1) In making the thirty (30) day postelection report required by KRS 121.180(4) following a primary election, the candidate, campaign committee, political issues committee, or registered fundraiser shall reflect only those contributions received, expenditures made, and debts incurred as of 12 midnight local time on the date of the primary election.

(2) All contributions received, expenditures made, and debts incurred subsequent to 12 midnight local time on the date of the primary shall be attributed to the regular election and shall be reflected on the thirty-two (32) day preelection report filed prior to the regular election.

Section 3. Supplemental Reports. (1) In making the supplemental reports required by KRS 121.180(7), a candidate, campaign committee, political issues committee, or registered fundraiser shall reflect the remaining balance and debts owing for the primary election only. A successful primary candidate who files one (1) or more supplemental reports for the primary and has carried a remaining balance forward to his campaign account for the regular election, shall reflect on the supplemental report only debts outstanding from the primary election. The supplemental report shall be accompanied by form KREF 92-009 (Certificate of Debt Assumption). The balance carried forward shall be reflected on the thirty-two (32) day preelection report for the regular election.

(2) In making the postregular election supplemental reports required by KRS 121.180(7), a candidate, campaign committee, or political issues committee shall reflect the remaining balance (including funds carried over from the primary and reflected on the thirty-two (32) day preelection report) and debts owing for the regular election only. Supplemental reports shall be filed for the regular election until the debts are paid or assumed and unexpended balance transferred to a future-year candidacy for the same office, issue, or other disposition made.

Section 4. Material Incorporated by Reference. Form KREF 92-009 (Certificate of Debt Assumption), revised 7/10/92, is hereby incorporated by reference and may be obtained free of charge from the Registry of Election Finance, 140 Walnut Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. local time. (19 Ky.R. 1930; Am. 2234; eff. 4-7-93.)